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HEAVENLY VALLEY, LIMITED PARTNERSHIP and
THE VAIL CORPORATION

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CHRISTOPHER HAMILTON, as an
individual and on behalf of all others
similarly situated,

Plaintiffs,

v.

HEAVENLY VALLEY, LIMITED
PARTNERSHIP; and DOES 1-50,
inclusive,

Defendants.

Case No. **2:21-CV-01608 WBS SCR**

**JOINT STATUS REPORT AND REQUEST TO
CONTINUE STATUS CONFERENCE; ORDER**

**Related to: 2:21-cv-00107 WBS DB
2:21-cv-01260 WBS SCR
2:21-cv-02251-WBS-DB**

Complaint Filed: September 8, 2021
District Judge: Hon. William B. Shubb
Courtroom 5, Sacramento

Magistrate Judge: Sean C. Riordan
Courtroom 27, Sacramento

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

1 Plaintiff CHRISTOPHER HAMILTON (“Plaintiff”) and defendant HEAVENLY
 2 VALLEY, LIMITED PARTNERSHIP (“Defendant”) (collectively the “Parties”), hereby submit
 3 this joint status report regarding the status of the case and settlement approval process in this
 4 Action and four other related cases: *Gibson v. The Vail Corporation*, Case No. 2:21-cv-01260-
 5 WBS-DB (E.D. Cal.) (“*Gibson*”); *Hamilton v. Heavenly Valley, Limited Partnership*, SC20210148
 6 (El Dorado County Superior Court) (“*Hamilton II*”); *Roberds v. The Vail Corporation et al*, Case
 7 No. 2:21-cv-02251-WBS-DB (E.D. Cal.) (“*Roberds*”); and *Heggen v. Heavenly Valley Limited*
 8 *Partnership*, 2:21-cv-00107-WBS-DB (“*Heggen*”).

9 WHEREAS, on November 19, 2021, Randy Dean Quint, John Linn, and Mark Molina
 10 (collectively “Colorado Plaintiffs”), plaintiffs in another class and collective action against
 11 Defendant venued in Colorado captioned *Quint v. Vail Resorts, Inc.*, No. 1:20-cv-03569-DDD-
 12 GPG filed a motion to intervene in *Hamilton II* for the purpose of filing a motion to dismiss the
 13 action, which the court denied;

14 WHEREAS, on December 28, 2021, the Parties executed a formal, long-form Settlement
 15 Agreement that fully and finally resolves all claims in the Action, pending court approval, as well
 16 as claims pled in related cases *Hamilton I*, *Gibson*, *Hamilton II*, and *Roberds* (“the Settlement”);

17 WHEREAS, on February 1, 2022, the El Dorado County Superior Court entered an Order
 18 in the *Hamilton II* action granting Plaintiffs’ Motion for Preliminary Approval of the Settlement;

19 WHEREAS, Colorado Plaintiffs filed an objection to the Settlement;

20 WHEREAS, after considering all final approval papers, all objections to the Settlement,
 21 oral argument from objectors at a hearing on June 17, 2022, and the arguments of counsel and
 22 other individuals at a final approval hearing on August 19, 2022, the El Dorado County Superior
 23 Court entered an Order in the *Hamilton II* action on August 19, 2022 granting Plaintiffs’ Motion
 24 for Final Approval of the Settlement (“Final Approval Order”) and entered judgment;

25 WHEREAS, Colorado Plaintiffs moved to vacate the *Hamilton II* judgment, which the
 26 Court denied;

27 WHEREAS, Colorado Plaintiffs appealed both the order denying their motion to intervene
 28 and the order denying their motion to set aside and vacate judgment;

1 WHEREAS, on October 10, 2024, the Court of Appeal issued an unpublished opinion that
2 reversed the trial court's orders in on non-parties' motions to: (a) intervene; and (b) to set aside and
3 vacate the judgment in *Hamilton II*;

4 WHEREAS, Defendant's petition for review filed with the California Supreme Court which
5 was not granted;

6 WHEREAS, remittitur issued on January 29, 2025;

7 WHEREAS, following a case management conference in *Hamilton II* on March 14, 2025,
8 the trial court entered an order adopting the parties' stipulated briefing schedule for Colorado
9 Plaintiffs' (now Intervenors') motion to dismiss, and set a hearing for June 6, 2025;

10 WHEREAS, due to a series of scheduling conflicts, the hearing on the Colorado Plaintiffs'
11 Motion to Dismiss was continued to September 12, 2025;

12 WHEREAS, on September 12, 2025, the Superior Court denied the Colorado Plaintiffs'
13 Motion to Dismiss;

14 WHEREAS, the Parties are still evaluating the impact of the order denying the Colorado
15 Plaintiffs' Motion to Dismiss, as it relates to the Settlement, to determine how the matters will
16 move forward;

17 WHEREAS the Settlement provides that Plaintiffs will dismiss this action with prejudice
18 within 28 days after the Final Approval Order becomes a final, non-appealable order;

19 NOW THEREFORE, the Parties hereby jointly request that this Court continue the October
20 6, 2025 Status Conference to Monday, January 12, 2026, at 1:30 pm, or as soon thereafter as the
21 Court's calendar permits.

1 DATED: October 6, 2025

DIVERSITY LAW GROUP, P.C.

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4 By: /s/ Max W. Gavron (signature authorized on 10/6/25)
5 Larry W. Lee
6 Max W. Gavron

7 Attorneys for Plaintiff
8 CHRISTOPHER HAMILTON, AS AN
9 INDIVIDUAL AND on behalf of all others
10 similarly situated

11 DATED: October 6, 2025

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

12
13
14 By: /s/ Evan R. Moses (signature authorized on 10/6/25)
15 Evan R. Moses
16 Melis Atalay

17 Attorneys for Defendant
18 HEAVENLY VALLEY, LIMITED
19 PARTNERSHIP and THE VAIL
20 CORPORATION
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ORDER

The Court having reviewed the foregoing stipulation, and GOOD CAUSE APPEARING
THEREFORE, the Court orders as follows:

(1) The Parties shall file a Joint Status Report addressing the status of the Settlement
and any additional information that the Court requires, by **December 29, 2025**.

(2) A Status Conference is set for **January 12, 2026 at 1:30 p.m.**

IT IS SO ORDERED.

Dated: October 6, 2025



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE